

Remarks/Arguments

By way of the present amendment, Applicants have amended Claims 1, 24, 40, and 43 adapting the Examiner's suggestion in order to place the claims in condition for allowance. Forty-four (44) claims remain pending in the application: Claims 1-44, of which Claims 1, 24, 40, and 43 are independent. Applicants respectfully request reconsideration of the pending claims, in view of the amendments above and comments below.

Claim Rejections - 35 U.S.C. § 102

The Examiner rejected Claim 1 under 35 U.S.C. § 102(b), as being anticipated by Brownlee et al., U.S. Patent No. 4,134,408 (the '408 patent).

The Examiner suggested that the reason Brownlee et al. anticipated the claim was because Applicants had not positively claimed a communication circuit and a charge circuit, as structural limitations. Because of this oversight, Examiner had no choice but to assume that the charging coil of Brownlee was inherently capable of communicating, and, as a coil, met the structural limitation of Claim 1 (which positively claimed only a coil). Recognizing this deficiency, suggested by the Examiner, Applicants have now amended Claim 1 to positively recite a communication circuit and a charge circuit, which elements were always intended to be part of the claim, but were not positively recited. The elements, (1) means for driving the antenna/charging coil with a charging signal when used as a charging coil, and (2) means for driving the antenna/charging coil with a communication signal when used as a communication coil, are now positively claimed in Claim 1, thus clearly distinguishing the claimed invention from Brownlee et al. Thus, Applicants submit that this rejection has been overcome.

Claim Rejections - 35 U.S.C. § 103

The Examiner indicated that Claims 2 and 3 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Brownlee et al. ('408 patent) as applied to Claim 1, in view of Griffith, U.S. Patent No. 6,073,050 (the '050 patent) as applied in the previous Office Action of October 3, 2005.

The Examiner also indicated that Claims 4-26 and 29-43 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Brownlee et al. ('408 patent) as applied to Claim 1, and further in view of Kung, U.S. Patent No. 6,212,430 (the '430 patent) and Seelye, U.S. Patent No. 5,642,030 (the '030 patent) as applied in the previous Office Action of October 3, 2005.

The Examiner also indicated that Claims 27 and 28 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Brownlee et al. ('408 patent) in view of Kung ('430 patent) and Seelye ('030 patent) as applied to Claims 4-26 and 29-43, and further in view of Griffith ('050 patent) as applied to Claims 2 and 3.

The Examiner further indicated that Claim 44 is rejected under 35 U.S.C. §103(a) as being unpatentable over Brownlee et al. ('408 patent) in view of Kung ('430 patent) and Seelye ('030 patent) as applied to Claims 4-26 and 29-43.

Applicants have amended independent Claims 1, 24, 40 and 43, adopting the Examiner's suggestion presented in the Office Action in order to place the claims in condition for allowance or in better form for appeal. As now amended, independent Claims 1, 24, 40 and 43 contain, *inter alia*, two structural elements positively recited as: (1) means for driving the antenna/charging coil with a charging signal when used as a charging coil, and (2) means for driving the antenna/charging coil with a communication signal when used as a communication coil. These elements are not found, taught, or suggested in Brownlee et al. or in any of the secondary references. Hence, these claims, and all the claims that depend therefrom, should now be in condition for allowance or in better form for appeal.

In view of the foregoing discussion, it is believed that the rejections are overcome with respect to independent Claims 24, 40, and 43 and that these rejections should be withdrawn.

Claims 2-23 and 44 are dependent upon independent Claim 1 directly or indirectly and, for this reason alone (although not necessarily the only reason), should be allowable for the same reasons that Claim 1 is allowable.

Claims 25-39 are dependent upon independent Claim 24 directly or indirectly and, for this reason alone (although not necessarily the only reason), should be allowable for the same reasons that Claim 24 is allowable.

Claims 41-42 are dependent upon independent Claim 40 and, for this reason alone (although not necessarily the only reason), should be allowable for the same reasons that Claim 40 is allowable.

Conclusion

In view of the above, it is respectfully submitted that Claims 1-44 should be in condition for allowance. An indication of allowability with respect to these claims is earnestly solicited.

The Examiner is invited to telephone the undersigned, Victoria A. Poissant, should any issues remain after consideration and entry of this response, in order to permit early resolution of such issues.

Respectfully Submitted,

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